

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SCOTT MATTISON LAWSON, §  
§  
Petitioner, § CIVIL ACTION NO. C-11-214  
VS. §  
§  
RICK THALER, §  
§  
Respondent. §

**OPINION AND ORDER OF TRANSFER**

This is a habeas action filed by a state prisoner incarcerated at the McConnell Unit in Beeville, Texas (D.E. 1). Petitioner was convicted of felony murder in the 222<sup>nd</sup> Judicial District Court of Deaf Smith County and sentenced on November 19, 1998, to serve a term of life in prison by the 222nd Judicial District Court of Deaf Smith County (*Id.*).

A habeas action may be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d); Wadsworth v. Johnson, 235 F.3d 959 (5th Cir. 2000). Petitioner's place of incarceration is in the Corpus Christi Division of the Southern District of Texas, 28 U.S.C. § 124(b)(6), and he was convicted by a court located in the Amarillo Division of the Northern District of Texas. 28 U.S.C. § 124(a)(5).

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. §§ 1404(a) and 1406(a). Because petitioner was convicted in Deaf Smith County, it is more convenient for the action to be handled in the Amarillo Division of the Northern District of Texas. The records of his conviction, the prosecutor and defense lawyer, and the witnesses are all located in the Amarillo Division of the Northern District of Texas.

Accordingly, it is ordered that the Clerk of the Court TRANSFER this action to the United States District Court for the Northern District of Texas, Amarillo Division. All pending motions are denied as moot and subject to renewal after the case is transferred.

SIGNED and ORDERED this 29th day of June, 2011.



Janis Graham Jack  
Senior United States District Judge